

IN THE DISTRICT COURT OF GUAM  
TERRITORY OF GUAM  
CRIMINAL MINUTES

**FILED**  
DISTRICT COURT OF GUAM

AUG 31 2005

MARY L.M. MORAN  
CLERK OF COURT

CASE NO. CR-05-00053-004

DATE: August 31, 2005

HON. S. JAMES OTERO, Designated Judge, Presiding

Court Reporter: Wanda M. Miles

Hearing Electronically Recorded: 2:01:06 - 2:31:53

Law Clerk: NONE PRESENT

Courtroom Deputy: Leilani Toves Hernandez

CSO: J. Lizama / L. Gogo

\*\*\*\*\* APPEARANCES \*\*\*\*\*

DEFT: JARRETT J. ELM

ATTY: WILLIAM GAVRAS

(X) PRESENT ( ) CUSTODY ( ) BOND (X) P.R.

(X) PRESENT ( ) RETAINED ( ) FPD (X) CJA APPOINTED

U.S. ATTORNEY: RUSSELL STODDARD

AGENT: CRAIG HALES, U.S. POSTAL INSPECTOR

U.S. PROBATION: CARMEN O'MALLAN

U.S. MARSHAL: W. GRAY

INTERPRETER: \_\_\_\_\_ ( ) SWORN LANGUAGE: \_\_\_\_\_

\*\*\*\*\*  
PROCEEDINGS: CHANGE OF PLEA

( ) COMPLAINT READ TO DEFENDANT

( ) FINANCIAL AFFIDAVIT REVIEWED AND ACCEPTED: \_\_\_\_\_, ATTORNEY APPOINTED

(X) DEFENDANT SWORN AND EXAMINED: AGE: 21 SCHOOL COMPLETED: 11<sup>th</sup> Grade

( ) DEFENDANT ARRAIGNED AND ADVISED OF HIS RIGHTS, CHARGES AND PENALTIES

( ) GOV'T SUMMARIZES THE EVIDENCE ( ) GOV'T SUBMITS TO THE PLEA AGREEMENT

(X) COURT QUESTIONS DEFENDANT REGARDING HIS PHYSICAL AND MENTAL CONDITION, AND ADVISES DEFENDANT OF THE NATURE AND POSSIBLE CONSEQUENCES OF SAID PLEA

( ) DEFENDANT WAIVES READING OF ( ) COMPLAINT ( ) INFORMATION ( ) INDICTMENT

(X) PLEA ENTERED: (X) GUILTY ( ) NOT GUILTY - TO: COUNT I

(X) PLEA AGREEMENT FILED: 08/31/2005 PLEA: (X) ACCEPTED ( ) REJECTED

( ) COURT ORDERS PLEA AGREEMENT SEALED

( ) COURT REJECTS PLEA AGREEMENT AND REFERS IT TO: \_\_\_\_\_ FOR RECOMMENDATION.

( ) SENTENCING DATE: \_\_\_\_\_ at \_\_\_\_\_ (X) STATUS HEARING: November 28, 2005 at 10:00 a.m.

(X) PRESENTENCE REPORT DUE: October 31, 2005

( ) DEFENDANT TO BE RELEASED ON BOND (see release conditions on page 2)

( ) DEFENDANT REMANDED TO THE CUSTODY OF THE U.S. MARSHAL SERVICE FOR ( ) PROCESSING ( ) DETENTION

( ) DETENTION HEARING REQUESTED BY \_ GOV'T \_ DEFT IS SET FOR: \_\_\_\_\_ at \_\_\_\_\_

(X) DEFENDANT RELEASED ON PERSONAL RECOGNIZANCE BOND AS PREVIOUSLY ORDERED BY THIS COURT

NOTES:

The Court Granted a pen and ink change to the Plea Agreement: page 3, line 15, delete "\$250,000" and replace with "\$4,000,000".

The Court Ordered the Presentence Report due on or before October 31, 2005.